

IN THE DRAWINGS

The attached sheet of drawings includes changes to Fig. 2. This sheet, which includes Fig. 2, replaces the original sheet including Fig. 2.

Attachment: Replacement Sheet

### REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

In the specification, pages 15 and 16 have been amended to correct a typographical error, as is clear from steps SP12 and SP13 of Figure 2. On page 17, line 2 the language has been clarified. Support for the language is found at page 17, line 1 of the specification. On page 21, line 1 of the specification “lively” has been changed to –live- to correct a typographical error.

In Figure 2 of the drawings box SP3 has been amended to correct the spelling of the term “SWITCH”.

Claims 1-8 are pending in the present application. Claims 3 and 7 are amended to correct syntax. The changes find support at least at page 17 of the specification. No new matter has been added.

By way of summary, the Official Action rejects Claims 1-8 under 35 U.S.C. §102(e) as being anticipated by Fu et al. The Official Action asserts on page 2 that Fu et al. disclose a picture material editing apparatus comprising picture material switching means having a switcher function of switching and outputting multiple picture materials inputted from multiple sources at an arbitrary timing. The Official Action relies on column 5, lines 18-33 and 40-61 for this feature. From our review of these passages of Fu et al., we find at column 5, lines 18-33 refer to the input module including plural means for reading input received by a user. Input can be received by U.S. mail delivery such as FedEx, UPS, through a receiving site, drop-off center, kiosk, photo shop or can be uploaded by the user. Input can be analog or digital and if digitized the input can be provided directly to digitation control module 110.

All the other forms of input are digitized using digitation module 108. In one implementation, input module 102 uses a video cassette player, a compact disc player, and

digital video compact disc and a camcorder for reading input. That input can be in the form of analog or digital tape, VCDs, DVDs or direct input from a video recording device such as an 8 mm high 8 camcorder. Column 5, lines 40-63 state that the input monitoring multiplexer 104 receives as inputs a video stream on each of its input ports and provides a single selective stream as an output port. Multiplexer 104 receives its inputs to video streams from the input module and a feedback stream from the digitization control module 110. The output of the input monitoring multiplexer is coupled to an input of content monitoring module 112. In this way the video output from each input device can be viewed by a quality control monitor. Digitization source multiplexer 106 receives its input video streams on each input port provides a single selected stream as an output on its output port. Multiplexer 106 receives as input three video streams from the input module. The output of the digitization source multiplexer 106 is coupled to the input of digitization module 108. In this way the video output stream from each input device can be selected for digitization by the digitization module.

Claim 1 recites, in part, picture material switching means having a switcher function of switching and outputting multiple picture materials inputted from multiple sources at an arbitrary timing. From our review of the passages of Fu et al. relied upon by the Examiner we find no description, either expressly or under the principle of inherency, for the switcher function outputting multiple picture materials inputted from multiple sources at an arbitrary timing, i.e., we find description regarding the claimed arbitrary timing in the passages relied in Fu et al. or anywhere else in the reference. Accordingly, Applicant believes that the rejection of Claim 1 under 35 U.S.C. §102(e) as being anticipated by Fu et al. is in error and should be withdrawn.

With regard to Claim 2, the Official Action takes the position regarding Fu et al., that the edit list creation means creates the edit list simultaneously with the switching operation

for switching the multiple picture materials by using the switcher function. The Official Action relies on column 7, lines 8-11 and column 19, lines 18-21 for this feature. From our review of column 7, lines 8-11 of Fu et al. we find from Fu et al. a description of method 200 being used to detect when the video camera is turned OFF, i.e., a scene break. An output method is a list of segments where each segment contains beginning and end frame members. Column 19, lines 18-21 of Fu et al. states that the system can create an edit list that defines a series of stop and start points in the video content associated with the edit list can be one or more filters or other effects to be applied to the segment. Applicant finds nothing in the passage of Fu et al. or anywhere else in the reference which would disclose that the edit list creation means creates the edit list simultaneously with a switching operation for switching multiple picture materials using the switcher function. Applicant therefore believes that Claim 2 is also not anticipated by Fu et al. either expressly or under the principles of inherency. Accordingly Applicant requests that the rejection of Claim 2 under 35 U.S.C. §102(e) be withdrawn.

In addition, the rejection of Claims 3 and 4 should be withdrawn based upon their dependency from Claim 1. Claims 5-8 recite a picture editing method. From description of Fu et al., *supra*, Applicants believe that these claims are also not anticipated by Fu et al. because Claim 5 also recites that the switching step of switching multiple picture materials inputted from multiple sources via picture material switching means having a switching function, via picture material switching means having a switching function, be a picture material switching means and at an arbitrary timing. Similarly, with regard to Claim 6, Applicant finds no description in Fu et al. that the edit list is created simultaneously with a switching operation for switching multiple pictures by using the switcher function.

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From all of the above, reconsideration and withdrawal of the rejection of Claims 1-8  
as anticipated by Fu et al. and allowance of the application is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/07)